

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING

OF  
MONDAY, MARCH 12, 1984  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:04 p.m. Mayor Hedgecock welcomed members of Soka Gakkai International from San Diego's Sister City, Yokahama. The meeting was recessed by Mayor Hedgecock at 4:14 p.m. The meeting was reconvened by Mayor Hedgecock at 4:21 p.m. with Council Members Jones and Struiksma not present. Mayor Hedgecock adjourned the meeting at 4:41 p.m. to meet in Closed Session at 9:30 a.m., Tuesday, March 13, 1984, in the twelfth floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
- (1) Council Member Mitchell-present.
- (2) Council Member Cleator-present.
- (3) Council Member McColl-present.
- (4) Council Member Jones-excused by R-260288  
(City business in Washington, D. C.).
- (5) Council Member Struiksma-excused by R-260283  
(City business at APTA conference).
- (6) Council Member Gotch-present.
- (7) Council Member Murphy-present.
- (8) Council Member Martinez-present.

Clerk-Abdelnour (eb)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

Mayor Hedgecock-present.

Council Member Mitchell-not present.

Council Member Cleator-not present.

Council Member McColl-present.

Council Member Jones-not present.

Council Member Struiksma-not present.

Council Member Gotch-present.

Council Member Murphy-present.

Council Member Martinez-present.

ITEM-10: INVOCATION

Invocation was given by Reverend Ed Wessling, Holy Cross Lutheran Church.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION:

MINUTES

ITEM-30: PRESENTED

Presentation to representatives of the National Land Surveyors Association. (Presentation by Mayor Roger Hedgecock).

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A025-060).

ITEM-31: GRANTED HEARING

Matter of the request of Otay Mesa-Nestor Community Planning Committee by Ruth J. Schneider, Chair, for a hearing of an appeal from the decision of the Planning Commission in approving Planned Industrial Development Permit PID-83- 0253 which proposes a conceptual development for warehousing and manufacturing with associated office uses on six industrial lots.

(PID-83-0253. District-8.)

FILE LOCATION:

PERM PID-83-0253

COUNCIL ACTION: (Tape location: A130-149).

MOTION BY MARTINEZ TO GRANT THE REQUEST FOR A HEARING. Second by

Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

1/23/84 P.M.

1/24/84 A.M. and P.M.

1/26/84 Special P.M.  
1/30/84 P.M.  
1/31/84 A.M. and P.M.  
2/06/84 P.M.  
2/07/84 A.M. and P.M.

FILE LOCATION:

MIN

COUNCIL ACTION: (Tape location: A149-154).

MOTION BY MARTINEZ TO APPROVE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-50: (O-84-176) ADOPTED AS ORDINANCE O-16178 (New Series)

Incorporating a portion of Pueblo Lot 1302, Miscellaneous Map-36 (2.51- acres), located on the west side of Cargill Avenue between Nobel Drive and Decoro Street, into Zone R-1000. (Case-83-0900. University North Community Area.

District-1. Introduced on 2/28/84. Council voted 9-0.)

FILE LOCATION:

ZONE 3/12/84

COUNCIL ACTION: (Tape location: A225-230).

CONSENT MOTION BY MURPHY TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-51: (O-84-178) ADOPTED AS ORDINANCE O-16179 (New Series)

Amending Ordinance O-15976 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for Fiscal Year 1983-84" to create the new position of Library Development Officer; exempting the position of Library Development Officer from the classified service; amending Exhibit C to said Ordinance to include the classification of Library Development Officer; establishing a rate of compensation therefor.

(Introduced on 2/27/84. Council voted 9-0.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A225-230).

CONSENT MOTION BY MURPHY TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez- yea, Mayor Hedgecock-yea.

\* ITEM-52: (O-84-180) ADOPTED AS ORDINANCE O-16180 (New Series)

Authorizing a lease purchase agreement with Imperial Municipal Services Group, Inc., a trust agreement with First Interstate Bank of California and a fee schedule for trust services related to the issuance of Certificates of Participation for the construction of the Southeastern Division Police Station in an aggregate principal amount not to exceed \$3,200,000 for a term not exceeding 30 years.

(Skyline - Paradise Hills Community Area. District-4. Introduced on 2/27/84. Council voted 9-0.)

NOTE: Six votes required.

FILE LOCATION:

LEAS Imperial Municipal Services Group, Inc.

COUNCIL ACTION: (Tape location: A225-230).

CONSENT MOTION BY MURPHY TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-53: (O-84-179) INTRODUCED, TO BE ADOPTED MARCH 26, 1984

Introduction of an Ordinance amending Chapter VIII, Article 5, of the San Diego Municipal Code by amending Section 85.02 relating to truck parking.

(See City Manager Report CMR-84-71.)

COMMITTEE ACTION: Reviewed by TLU on 2/22/84. Recommendation to introduce the Ordinance. Districts 1, 3 and 5 voted yea. Districts 2 and 4 not present.

NOTE: See Item 115.

FILE LOCATION:

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COUNCIL ACTION: (Tape location: A235-240).

CONSENT MOTION BY MARTINEZ TO INTRODUCE. Second by McColl.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-100: (R-84-1273) ADOPTED AS RESOLUTION R-260247

Awarding a contract to Crown Contracting, Inc., for Point Loma Wastewater Treatment Facilities Accelerated Projects, installation of exhaust catalyst systems sewer grant 530 projects; authorizing the City Auditor and Comptroller to transfer \$94,883 within Sewer Revenue Fund 41506 from the Unallocated Reserve (70697) to CIP-46-070 Sewer Grant Contract 530 (70292); authorizing the expenditure of not to exceed \$94,883 from CIP-46-070 Sewer Grant Contract 530 (70292) to supplement funds previously authorized by Resolution R-259625. BID-84586

(District-2.)

**CITY MANAGER REPORT:**

As part of the Point Loma Accelerated Projects, a digester gas utilization facility which will use digester gas to generate electricity is currently being constructed. The facility will utilize digester gas that is currently being burned in waste gas flares to fuel two 1350-KW engine generators that will produce electricity which will be sold to SDG&E. One condition of the County of San Diego Air Pollution Control District (APCD) Authority to Construct was that the City install a catalytic reactor on each engine to reduce NOX (Nitrogen Oxides) emissions.

Bids for the installation contract were opened on January 11, 1984 and two bids were received. The low bid from Crown Contracting was for \$652,700 and the second low bid from Metro-Young/Lopez Construction was for \$712,000. The low bid of \$652,700 was 15 percent higher than the engineer's estimate of \$566,443. A total of 49 bid packages were issued and two bids were received. It is felt that re-advertising for bids would not result in securing a lower bid and would simply delay the project; therefore, it is recommended that a contract be awarded to the low bidder, Crown Contracting, Inc., in the amount of \$652,700.

WU-P-84-086.

**FILE LOCATION:**

CONT Crown Contracting Inc. CONTFY84

**COUNCIL ACTION:** (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

**ITEM-101: (R-84-1332) CONTINUED TO MARCH 26, 1984**

Awarding a contract to Daley Corporation for the improvement of Clairemont Mesa Boulevard between Via Vallarta and Marigot Place; authorizing the City Auditor and Comptroller to transfer

within Capital Outlay Fund 30245, \$66,564 from CIP-58-011, Mission Valley Bikeway - Fashion Valley Road to I-805 to Camino Del Rio North to CIP-52-278, Clairemont Mesa Boulevard - Via Vallarta to 550 feet east of Marigot Place; and \$123,826 from CIP-90-245 Capital Outlay Fund Reserve to CIP-52-278 Clairemont Mesa Boulevard - Via Vallarta to 550 feet east of Marigot Place; authorizing the City Manager to execute an agreement with the San Diego Unified School District for improvement of a portion of Clairemont Mesa Boulevard; authorizing the City Manager to accept payment of \$143,300 from the San Diego Unified School District to be deposited in Trust Fund 63022 for the school district's share of funding

CIP-

52-278, Clairemont Mesa Boulevard - Via Vallarta to 550 feet east of Marigot Place; authorizing the expenditure of \$333,700, not to exceed \$190,400 from Capital Outlay Fund 30245,

CIP-

52-278, Clairemont Mesa Boulevard - Via Vallarta to 550 feet east of Marigot Place; and not to exceed \$143,300 from Trust Fund 63022 for said project and related costs. BID-5446 (Tierrasanta Community Area. District-7.)

#### CITY MANAGER REPORT:

On January 10, 1984, by Resolution R-259936, the City Council authorized the Purchasing Agent to advertise for bids for the improvement of Clairemont Mesa Boulevard - Via Vallarta to Marigot Place. The lowest of five bids received was 21.8 percent below the City estimate of \$340,000. This is a cooperative project between the City of San Diego and the San Diego Unified School District that will improve a portion of Clairemont Mesa Boulevard to full width, i.e. four lanes with center median, and complete the drainage facilities. The City and the School District will be responsible for all costs associated with their respective street frontage.

Widening the street will improve traffic flow and safety through this area of the community.

#### FILE LOCATION:

CONT Daley Corporation CONTFY84

COUNCIL ACTION: (Tape location: A184-220, D206-210).

MOTION BY GOTCH TO CONTINUE TO MARCH 26, 1984, AT COUNCIL MEMBER

MURPHY'S REQUEST FOR FURTHER REVIEW. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-102:

19840312

Three actions relative to awarding contracts:

Subitem-A: (R-84-1329) ADOPTED AS RESOLUTION R-260248

Unifilt Corporation for the purchase of 620 tons of anthracite filter media for a total cost of \$131,309.80, including tax, terms and freight. BID-5462

Subitem-B: (R-84-1328) ADOPTED AS RESOLUTION R-260249

Dana Landing for the purchase of one patrol boat (Boston Whaler Outrage 22) and one rescue boat (Boston Whaler 18) for a total cost of \$57,498.11, including tax and terms. BID-5464

Subitem-C: (R-84-1331) ADOPTED AS RESOLUTION R-260250

Adamson Industries for the purchase of police batons and rings for an actual cost of \$16,236.13, including tax and terms. BID-5479\*

FILE LOCATION:

MEET CONFY84

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-103:

19840312

Two actions relative to Bella Pacific Park:

(Located northeasterly of Pacifica Drive and Bluffside Avenue. Mission Bay Community Area. District-6.)

Subitem-A: (R-84-1316) ADOPTED AS RESOLUTION R-260251

Authorizing the execution of a First Amendment to Participation Agreement with Bella Pacific Park for the construction of a traffic signal at Bluffside Avenue and Mission Bay Drive.

Subitem-B: (R-84-1351) ADOPTED AS RESOLUTION R-260252

Granting an extension of time to October 26, 1985 to Bella Pacific Park, subdivider, to complete the improvements required

in Bella Pacific Park.

**CITY MANAGER REPORT:**

On October 26, 1981, the City entered into an agreement with Bella Pacific Park for the construction of public improvements for Bella Pacific Park Subdivision. At that time, the City entered into a Participation Agreement by which the City agreed to participate in the amount of \$27,000 toward the cost of the traffic signal at Bluffside Avenue and Mission Bay Drive. None of the work has been completed and both agreements expired on October 26, 1983.

The subdivider has requested a time extension to October 26, 1985 on the Subdivision Improvement Agreement but has agreed to complete construction of the traffic signal before May 1, 1984. He has also provided an additional surety in the form of an "Irrevocable Letter of Credit" in the amount of \$41,000 to ensure completion of the traffic signal in accordance with the Amended Participation Agreement.

It is recommended that the time extension of the Subdivision Improvement Agreement be granted since the improvements in the agreement except for the traffic signal are not needed to serve the adjacent developments or the general public. It is also recommended that the amendment to the Participation Agreement be approved since the subdivider by the agreement has agreed to complete the signal by May 1, 1984.

**FILE LOCATION:**

SUBD Bella Pacific Park CONFY84

**COUNCIL ACTION:** (Tape location: A241-262).

**CONSENT MOTION BY MARTINEZ TO ADOPT.** Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-104:

19840312

Two actions relative to Eagle Ridge Estates:

(Located northwesterly of Navajo Road and Cowles Mountain Boulevard. Navajo Community Area. District-7.)  
Subitem-A: (R-84-1413) ADOPTED AS RESOLUTION R-260253

Releasing portions of the sureties issued by Insurance Company of the West in the form of Performance Bonds No.

382892, 382893 and 382894, so that the same are reduced as follows: 1) for faithful performance, to the sum of \$440,792; and 2) for the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$220,396.

Subitem-B: (R-84-1414) ADOPTED AS RESOLUTION R-260254

Granting an extension of time to February 6, 1985 to San Carlos Park, subdivider, to complete the improvements required in Eagle Ridge Estates.

**CITY MANAGER REPORT:**

On September 8, 1980, the City entered into an agreement with San Carlos Park, a general partnership, for the construction of public improvements for Eagle Ridge Estates. On December 14, 1982, a time extension was granted to December 31, 1983, (Resolution R-257676). The work was only 25 percent completed at that time, and the extension was granted on the condition that, if the subdivider should shut down, the finance company would, upon notice from the City, proceed immediately to hydroseed the slopes. The work is at present approximately 88 percent complete. The slopes have been planted, the storm drains constructed, and most of the paving completed. The work remaining consists mostly of some paving, streetlight installation, and survey monumentation. The subdivider has requested an extension of time to February 6, 1985.

With the original agreement, the subdivider submitted three performance bonds with an aggregate total amount of \$1,296,448 from the Insurance Company of the West for which he is requesting a partial release. The engineer's estimate of the work remaining has been reviewed by the City Engineer, and he has determined that the work for which the subdivider is requesting a partial release has been completed in a satisfactory manner. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced to \$440,792 (approximately 66 percent reduction), and since the incomplete improvements are not necessary to serve the adjacent development or the general public, that the time extension be granted.

**FILE LOCATION:**

SUBD Eagle Ridge Estates

**COUNCIL ACTION:** (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgcock-yea.

\* ITEM-105: (R-84-1397) ADOPTED AS RESOLUTION R-260255

Granting an extension of time to June 15, 1984 to Avco Community Developers, Inc., subdivider, to complete the improvements required in Loma Aire Unit No. 3.

(Located southwesterly of Talbot Street and Albion Street.  
Point Loma Community Area. District-2.)

CITY MANAGER REPORT:

On June 15, 1981, the City entered into an agreement with Avco Community Developers, Inc. for the construction of public improvements for Loma Aire Unit No. 3. None of the work has been started. The agreement expired on June 15, 1983. The developer has requested a time extension to June 15, 1984. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

FILE LOCATION:

SUBD Loma Aire Unit No. 3

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-106: (R-84-1398) ADOPTED AS RESOLUTION R-260256

Granting an extension of time to August 4, 1984 to Point Loma Gardens IV, subdivider, to complete the improvements required in Point Loma Garden Villas.

(Located northwesterly of Cauby Street and Riley Street.  
Point Loma Community Area. District-2.)

CITY MANAGER REPORT:

On February 5, 1980, the City entered into an agreement with Point Loma Gardens IV, a California Partnership, for the construction of public improvements for Point Loma Garden Villas. None of the work has been started. The agreement expired on February 5, 1982. On July 6, 1982, by Resolution R-256707, a time extension was granted to August 4, 1983. The developer has requested a second time extension to August 4, 1984. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

FILE LOCATION:

SUBD Point Loma Garden Villas

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

ITEM-107: (R-84-1399) CONTINUED TO MARCH 26, 1984

Granting an extension of time to August 10, 1984 to Home Savings of America, F.A., (formerly Home Savings and Loan Association), subdivider, to complete the improvements required in Scripps Hills Unit No. 4.

(Located southeasterly of Fairbrook Road and Rue Chamberry. Scripps Ranch Community Area. District-5.)

**CITY MANAGER REPORT:**

On August 10, 1981, the City entered into an agreement with Home Savings and Loan Association, now Home Savings of America, F.A. for the construction of public improvements for Scripps Hills Unit No. 4. Approximately 90 percent of the work has been completed. The agreement expired on August 10, 1983. The developer has requested a time extension to August 10, 1984. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

**FILE LOCATION:**

SUBD Scripps Hills Unit No. 4

**COUNCIL ACTION:** (Tape location: A165-224).

**MOTION BY MARTINEZ TO CONTINUE TO MARCH 26, 1984, AT CITY MANAGER'S REQUEST FOR COUNCIL MEMBER STRUIKSMA TO BE PRESENT.**

Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

840312

ITEM-108: CONTINUED TO MARCH 26, 1984

19840312

Two actions relative to Scripps Ranch Estates:

(Scripps Ranch Community Area. District-5.)

Subitem-A: (R-84-1432)

Releasing a portion of the surety issued by Aetna Casualty and Surety Company in the form of Performance Bond No. 59-SB-015423 BCA, so that the same is reduced as follows: 1) for faithful performance, to the sum of \$1,467,677; and 2) for the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum

of \$733,839.  
Subitem-B: (R-84-1433)

Granting an extension of time to October 25, 1985 to Ponderosa Homes, subdivider, to complete the improvements required in Scripps Ranch Estates.

**CITY MANAGER REPORT:**

On February 13, 1980, the City entered into an agreement with Ponderosa Homes for the construction of public improvements for Scripps Ranch Estates Subdivision and Performance Bond No. 59-SB-015423 BCA, issued by the Aetna Casualty and Surety Company in the amount of \$4,586,491 was provided by the subdivider. Subsequently, a time extension was granted to February 25, 1984. The subdivider has requested a partial release of surety and an extension of time to October 25, 1985 in which to complete the required improvements. Approximately 90 percent of the work has been completed.

In accordance with Council Policies 800-11 and 600-21, respectively, it is recommended that the surety be reduced to \$1,467,677 (approximately 68 percent reduction) and since the incomplete improvements are not necessary to serve the adjacent development or general public, that the time extension be granted.

**FILE LOCATION:**

SUBD Scripps Ranch Estates

**COUNCIL ACTION:** (Tape location: A165-224).

**MOTION BY MARTINEZ TO CONTINUE TO MARCH 26, 1984, AT CITY MANAGER'S REQUEST FOR COUNCIL MEMBER STRUIKSMA TO BE PRESENT.**  
Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-109:

19840312

Two actions relative to a street vacation and easement acquisition east of Drake Street:

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-84-1445) ADOPTED AS RESOLUTION R-260257

Vacating the alley east of Drake Street adjacent to Lots 64

and 65 of Map- 1228, Lot 4, Block "C", of Map-1063, and Lot 1 of Map-3828 under the procedure for the summary vacation of streets where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and does not continue through such ownership or end touching property of another; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature pursuant to said resolution; the easement reserved herein is in, under, over, upon, along and across the alley east of Drake Street adjacent to Lots 64 and 65, Map-1228, Lot 4, Block "C", Map-1063, and Lot 1 of Map-3828.

Subitem-B: (R-84-1443) ADOPTED AS RESOLUTION R-260258

Approving the acceptance by the City Manager of that easement deed of Boys Club of San Diego, Inc., granting to the City a permanent easement and right- of-way for drain purposes over, under, upon, along and across a portion of Lot 1 of Safeway Tract Subdivision, Map-3828.

**CITY MANAGER REPORT:**

The subject alley to be vacated was dedicated by subdivision in 1909. The City and the Boys' Club of San Diego, Inc., as abutting property owners, have petitioned for the closure to facilitate the construction of a new Boys' Club gymnasium on their adjacent properties. The 20-foot-wide alley to be vacated is bounded on the west by Drake Street, which is unimproved, and on the east by the Boys Club's property, which precludes its use for traffic circulation. The alley therefore provides access only to the petitioners' property. The closure is unimproved and contains only a sewer facility. An easement has been reserved to service and maintain this facility.

Staff has concluded that the right-of-way to be vacated is no longer needed for present or prospective public use and can be summarily vacated. A companion item to this vacation is the acceptance of a drain easement to service and maintain a drain channel to be constructed as a requirement of the Boys Club's land development. The easement is being granted at no cost to the City. The developer will obtain and bond for an engineering permit to construct the channel. This action was processed in accordance with Council Policy 600-15 and has been reviewed by the Southeast Economic Development Corporation (SEDC).

**FILE LOCATION:**

Subitem-A STRT J-2516, DEED F-2308;

Subitem-B DEED F-2309 DEEDFY84  
COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-110: (R-84-1426) ADOPTED AS RESOLUTION R-260259

Setting aside portions of Pueblo Lots 1316 and 1317 for sewer and drainage facilities.

(Located northerly and easterly of Genesee Avenue and Eastgate Mall. University City Community Area. District-1.)

FILE LOCATION:

DEED F-2310 DEEDFY84

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- ye.

\* ITEM-111: (R-84-1117) ADOPTED AS RESOLUTION R-260260

Establishing Council Policy 700-44 regarding flood control measures.

(See City Manager Reports CMR-83-521 and CMR-83-487.)

COMMITTEE ACTION: Reviewed by PSS on 12/14/83. Recommendation to adopt the Resolution. Districts 3, 4, 5, 6 and 8 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-112: (R-84-1441) ADOPTED AS RESOLUTION R-260261

Directing the Intergovernmental Relations Department to: 1) support legislation which would require additional review or approval procedures for the "bullet train" project; 2) support

legislation which would remove the bonding authority for the "bullet train" project; and 3) oppose legislation which would expedite the "bullet train" project.

(See Intergovernmental Relations Department Report

IRD-84-3.)

COMMITTEE ACTION: Reviewed by RULES on 2/13/84. Recommendation to adopt staff recommendation in IRD-84-3. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-113: (R-84-1319) ADOPTED AS RESOLUTION R-260262

Directing the Intergovernmental Relations Department to: 1) Support local agency financing legislation which includes the following components at a minimum: a) Repeal of the AB 8 deflator, b) Provision for subvention revenue to local agencies at the full entitlement level, c) Submission to the State's voters of a constitutional amendment which guarantees the amount of local agency subvention revenues; 2) Urge the Legislature and Governor to expedite local agency financing legislation so that the local agencies may have a guaranteed source of revenue as well as guaranteed level of revenue from the state.

(See Intergovernmental Relations Department Report

IRD-84-5.)

COMMITTEE ACTION: Reviewed by RULES on 2/13/84. Recommendation to adopt the Resolution. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-114: (R-84-1371) ADOPTED AS RESOLUTION R-260263

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$68,937 from the Water Revenue Fund (41502) Unallocated Reserve (70679) to the Water Operating

Fund (41500) Water Quality, General Program Expense (70316); authorizing the payment of an amount not to exceed \$68,937 to LPI/San Diego Associates, LTD., for the construction of street improvements on Camino del Rio North in accordance with the Street Improvement Reimbursement Agreement approved by the City Council on April 2, 1980 by Resolution R-251492.

(Located on Camino del Rio North, west of Milly Way.

Mission Valley Community Area. District-5.)

**CITY MANAGER REPORT:**

The City of San Diego and LPI/San Diego Associates, Ltd., executed a Street Improvement Reimbursement Agreement in April of 1980 for the construction of Camino del Rio North from Milly Way to the center line of Interstate 805. The City subsequently sold a parcel at public auction in 1980 with 312 feet of frontage on Camino del Rio North requiring reimbursement under this agreement. It was determined, at the time of this sale, that the City would pay for the improvements from the sale proceeds upon their completion and approval by the City. The City has now signed off the improvements and released the improvement bond. LPI/San Diego Associates, Ltd., is therefore requesting reimbursement, together with accrued interest, in accordance with the agreement in the amount of \$68,937.

WU-PR-84-080.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-115: (R-84-1391) ADOPTED AS RESOLUTION R-260264

Determining and establishing the following streets as truck parking prohibited zones: 1) San Ysidro Boulevard between Camino de la Plaza and Via de San Ysidro; 2) Via de San Ysidro from San Ysidro Boulevard to southerly terminus; 3) Calle Primera from Via de San Ysidro to Willow Road; 4) Willow Road from Calle Primera to southerly terminus; 5) Front Street from Willow Road to New York Avenue; 6) Camino de la Plaza from Willow Road to San Ysidro Boulevard; 7) Via Nacional from Camino de la Plaza to southerly terminus; 8) Louisiana Avenue from Camino de la Plaza to southerly terminus; 9) Virginia Avenue from Camino de la Plaza to Encinita Street; 10) Sycamore Road from Calle Primera to southerly terminus; 11) Camiones Way from Camino de la Plaza to southerly terminus; and 12) Willow

Road from San Ysidro Boulevard to southerly terminus; authorizing the installation of the necessary signs and markings; declaring that the regulations herein above imposed shall become effective upon the installation of such signs.

(See City Manager Report CMR-84-71.)

COMMITTEE ACTION: Reviewed by TLU on 2/22/84. Recommendation to adopt the Resolution. Districts 1, 3 and 5 voted yea. Districts 2 and 4 not present.

NOTE: See Item 53.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgcock- yea.

\* ITEM-116: (R-84-1436) ADOPTED AS RESOLUTION R-260265

Authorizing the execution of an agreement with Ferver Engineering Company to perform consulting engineering services in connection with the retrofitting of City Bridges with earthquake restrainers; authorizing the expenditure of \$24,000 from CIP-53-037, Capital Outlay Fund 30245, for the above project.

**CITY MANAGER REPORT:**

This project will provide the City with engineering consultant services for the retrofitting of various City Bridges with earthquake restrainers. City staff, working with Caltrans, have identified 19 City Bridges that should be studied for possible seismic upgrading.

This agreement will fund engineering consultant services for Phase I of a three-phase project to design earthquake restrainers for ten City Bridges. Phase I is a preliminary screening process to identify and prioritize City Bridges for more detailed analysis if needed. Phase I will be initiated separately from the other phases, since the scope of work in Phase II, "Detailed Evaluation," and Phase III, "Earthquake Restrainer Design," is predicated on the results of Phase I.

The selection of Ferver Engineering Company followed the directives outlined in Council Policy 300-7. The City advertised in the San Diego Daily Transcript on July 29 and August 5, 1983 for Civil/Structural Engineers for the "Retrofit of Selected Bridges with Seismic Restrainers." Nine engineering firms responded, from which six were referred by the Consultant Selection Committee for interview. From this list, two firms have been selected to work

concurrently on the project but on different City Bridges.

FILE LOCATION:

MEET CCONFY84

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-117: (R-84-1437) ADOPTED AS RESOLUTION R-260266

Authorizing the execution of an agreement with Kercheval and Associates to perform consulting engineering services in connection with the retrofitting of City Bridges with earthquake restrainers; authorizing the expenditure of \$24,000 from CIP-53-037, Capital Outlay Fund 30245, for the above project.

CITY MANAGER REPORT:

This project will provide the City with engineering consultant services for the retrofitting of various City Bridges with earthquake restrainers. City staff, working with Caltrans, have identified 19 City Bridges that should be studied for possible seismic upgrading.

This agreement will fund engineering consultant services for Phase I of a three-phase project to design earthquake restrainers for nine City Bridges. Phase I is a preliminary screening process to identify and prioritize City Bridges for more detailed analysis if needed. Phase I will be initiated separately from the other phases, since the scope of work in Phase II, "Detailed Evaluation," and Phase III, "Earthquake Restrainer Design," is predicated on the results of Phase I.

The selection of Kercheval and Associates followed the directives outlined in Council Policy 300-7. The City advertised in the San Diego Daily Transcript on July 29 and August 5, 1983 for Civil/Structural Engineers for the "Retrofit of Selected Bridges with Seismic Restrainers." Nine engineering firms responded, from which six were referred by the Consultant Selection Committee for interview. From this list, two firms have been selected to work concurrently on the project but on different City Bridges.

FILE LOCATION:

MEET CCONFY84

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea,

Martinez-yea, Mayor Hedgecock- yea.

ITEM-118: (R-84-1395) CONTINUED TO MARCH 9, 1984

Authorizing the execution of a fourth amendment to agreement with Lowry & Associates, for a planning study for the Metropolitan Sewerage System from a cost not to exceed \$606,663 to a cost not to exceed \$731,245; authorizing the City Auditor and Comptroller to transfer the sum of \$124,582 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to the South Bay- Point Loma Sewage Treatment Plant, (CIP-46-009, PE-70642,) for the above purpose; authorizing the expenditure of \$124,582 from CIP-46-009, South Bay- Point Loma Sewage Treatment Plant, for the above project.

(Tia Juana River Valley Community Area. District-8.)

**CITY MANAGER REPORT:**

On October 24, 1974, the City entered into an agreement with Lowry & Associates for a planning study (Facilities Plan) for the Metropolitan Sewerage System. This study was a requirement of the Clean Water Grant Program. Amendment No. 1 was for extended Environmental Studies. Amendment No. 2 was for secondary sewage treatment studies. Amendment No. 3 provided for an engineering study that would recommend a long term solution for water pollution and contamination problems caused by inadequate sewage disposal practices of the City of Tijuana, Baja California Norte. This report was delivered to the City on November 25, 1983.

Amendment No. 4 will reimburse Lowry & Associates for additional costs over and above the original budget established by Amendment No. 3. This Amendment is due to an increase in the original scope of the project and to more extensive studies in the following areas than were originally planned: 1) extended public participation; 2) two additional interceptor sites and the additional ocean outfall alternatives; 3) two additional sewage treatment sites; 4) additional aquaculture studies; 5) additional project management; 6) an expanded final report.

WU-U-84-087.

**FILE LOCATION:**

MEET CCONFY84

**COUNCIL ACTION:** (Tape location: A155-165).

MOTION BY MARTINEZ TO CONTINUE TO MARCH 9, 1984, AT CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-119: (R-84-1439) ADOPTED AS RESOLUTION R-260267

Authorizing the City Manager to execute a contract and promissory note for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, with the U.S. Department of Housing and Urban Development; authorizing the City Auditor and Comptroller to transfer funds in the amount of \$6,016,900 to the Redevelopment Agency for administration by the Southeast Economic Development Corporation.

CITY MANAGER REPORT:

On October 17, 1983 the Council authorized the Manager to submit to the Department of Housing and Urban Development (HUD) an application for loan guarantee assistance under Section 108 of the Housing and Community Development Act of 1974, as amended. This application has been approved by HUD in the amount of \$6,016,900 and in order for the City to receive these funds it is necessary to execute a contract and promissory note with HUD.

The funds received through the Section 108 Loan Guarantee will be administered by the Southeast Economic Development Corporation in the development of the Gateway Center Industrial/Business Park.

FILE LOCATION:

MEET CCONFY84

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-120: (R-84-1446) ADOPTED AS RESOLUTION R-260268

Approving City Manager's Report CMR-84-54 entitled, "San Diego Jack Murphy Stadium Management"; directing the City Manager to include in the Stadium Maintenance Plan a schedule of preventive work assignments.

(See City Manager Reports CMR-84-54, CMR-84-30; Memo from Council Member Gloria McColl dated 1/23/84; Memo from Council Member Dick Murphy dated 1/20/84; City Attorney Report dated

1/19/84.)

COMMITTEE ACTION: Reviewed by Rules on 2/13/84. Recommendation to adopt the Resolution. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed

by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

ITEM-150: CONTINUED TO MARCH 26, 1984

Matter of a discussion relating to the Mobilehome Park Study.

(See Housing Commission Report HCR-84-004, and Committee Consultant Analyses TLU-84-3, TLU-83-20.)

COMMITTEE ACTION: Reviewed by TLU on 2/22/84. Recommendation to set for Council hearing on 3/12/84 at 3:00 P.M. Time Certain. Districts 1, 3 and 5 voted yea. Districts 2 and 4 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B230-C677).

Hearing began 3:06 p.m. and halted 4:14 p.m.

Testimony by Thomas Reese, Robert J. McNaul, Martin Desmond, Mildred Holden, Arthur Deutsch, Adeline Smith, Bill Mecham, Harry Klingman, Ray Byers, Mike Walters, Vernon Hildebrand, and John Baldwin.

MOTION BY GOTCH TO CONTINUE TO MARCH 26, 1984, FOR MAYOR TO PRESENT A FRAMEWORK FOR A PROPOSED TASK FORCE WHICH WOULD WORK WITH PLANNING DEPARTMENT AND HOUSING COMMISSION STAFF TO INVESTIGATE METHODS FOR NON-BINDING ARBITRATION BY MOBILEHOME PARK OWNERS AND RENTERS, TO INVESTIGATE POSSIBLE SPECIAL ZONING TO ENCOURAGE DEVELOPMENT OF MOBILEHOME PARKS AND INCORPORATION OF DESIGNATED SITES IN PLANNING AREAS AND OTHER ALTERNATIVES, AND TO BRING PROPOSALS TO THE TRANSPORTATION AND LAND USE COMMITTEE WITHIN 120 DAYS. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-151: (O-84-150) INTRODUCED AND ADOPTED AS ORDINANCE O-16181 (New Series)

Amending Ordinance O-16007 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1983-84 and Appropriating the Necessary Money to

Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16007-1 and No. 00-16007-2, as amended and adopted therein, by adding CIP-29-440.0 entitled "Beyer Neighborhood Park - Acquisition" to the 1983-84 Capital Improvements Program, and authorizing the Auditor and Comptroller to transfer the sum of \$145,000 to CIP-29-440.0, Beyer Neighborhood Park - Acquisition, from the following funds: \$124,781 from Park Service District Fund 11750, \$8,842 from PSD Fund 16720, and \$11,377 from PSD Fund 16743.

(San Ysidro Community Area. District-8.)

First Public Hearing by Council on 2/27/84.

COMMITTEE ACTION: Reviewed by PFR on 2/16/84. Recommendation to adopt. Districts 1, 4 and 7 voted yea. Districts 2 and 3 not present.

WU-U-PR-088.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D017-020).

MOTION BY MARTINEZ TO INTRODUCE, DISPENSE WITH THE READING AND

ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (R-84-1604) ADOPTED RESOLUTION APPROVING ACE PARKING AS RESOLUTION R-260270

The matter of the award of a contract for the operation of the parking lot at San Diego Jack Murphy Stadium.  
(District-5.)

FILE LOCATION:

MEET CONTFY84

COUNCIL ACTION: (Tape location: A265-B229).

MOTION BY MURPHY TO APPROVE CONTRACT WITH ACE PARKING.

Second by

McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-201: (R-84-1220) ADOPTED AS RESOLUTION R-260271

A Resolution of Intention to execute a freeway agreement between the City and State for Interstate Route 15 from 3/10 of a mile north of Poway Road to 7/10 of a mile south of Carmel Mountain Road; setting the date and time of a public hearing in

accordance with provisions of the California Streets and Highways Code; authorizing the City Manager to execute said agreement following appropriate findings at the hearing.

(Rancho Carmel, Penasquitos East and Sabre Springs Community Areas. District-1.)

**CITY MANAGER REPORT:**

The existing freeway agreement for Interstate Route 15 from Mercy Road to the Escondido City limits was executed on October 3, 1963. No interchange was then contemplated for I-15 between Poway Road and Carmel Mountain Road. Since then, however, a street called North City Parkway has been planned to connect to I-15 approximately midway between Poway Road and Carmel Mountain Road. North City Parkway will initially be constructed as a two-lane City street, along the alignment of the future Route 56 freeway. The proposed interchange of North City Parkway with Interstate 15 will also provide a northerly access to High Occupancy Vehicle (HOV) lanes which are planned to be constructed in the center median of Interstate 15. The HOV lanes will be constructed from North City Parkway south to the new interchange with Route 163 near the south boundary of the Miramar Naval Air Station. The requested superseding freeway agreement will permit construction of an interchange of I- 15 with North City Parkway. Right-of-way and construction of both North City Parkway and of roads connecting it to existing City streets are being provided by developers of adjacent communities at no expense to the City.

**FILE LOCATION:**

MEET CONFY84

**COUNCIL ACTION:** (Tape location: D028-037).

**MOTION BY MURPHY TO ADOPT.** Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

**ITEM-202: (R-84-1423) ADOPTED AS RESOLUTION R-260272**

Declaring the real property and improvements owned by Berta J. Savage, Evan L. Otto et al. c/o Bill Graham, located at 3768 National Avenue to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance.

(Southeast San Diego Community Area. District-4.)

**CITY MANAGER REPORT:**

The single-family dwelling with adjoining garage at 3768 National Avenue was inspected on July 25, 1983, because of a complaint. The open, vacant unit has been fire-damaged and vandalized. The front

porch roof has collapsed and the sunshade structure has partly collapsed. The interior and yard are littered with fire debris and trash. As the property was in the Housing Rehabilitation Area the case was transferred to them, an inspection was conducted, and a notice issued to the owner on October 12, 1983. As reinspection on October 19, 1983 showed no improvement, a notice listing the conditions which render the building substandard was then issued by the Building Inspection Department to the owner-of-record by certified mail. The owner failed to take action, so a hearing was held by the Housing Advisory and Appeals Board on January 31, 1984. The owner-of-record was given notice of the Board hearing but did not appear. After reviewing the facts, the Board unanimously found the structure located at 3768 National Avenue to be a substandard building as defined in the San Diego Housing Code that should be abated by demolition or removal. The owner, however, has failed to initiate positive action to correct the conditions which render the building substandard, so it is deemed necessary to initiate appropriate legal action to abate this public nuisance.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D038-051).

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S400: (R-84-1518) ADOPTED AS RESOLUTION R-260269

Resolution of Intention to acquire approximately 40 acres in the Chollas Radio System for the San Diego Open Space Park Facilities District No. 1; setting the time and date for a public hearing.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

Chollas Radio System is the number five priority on the Council's adopted open space retention list. This 40 acre parcel, which is within this system, is located to the south and west of Highway 94 and Kelton Road. On February 21, 1984, Council adopted Resolution R-260160, authorizing and directing the City Manager "to immediately initiate actions necessary in order to proceed with a proposed acquisition for open space park purposes" of this Emerald Vista Estates property. It was further resolved that this authorization was "contingent upon ultimate acquisition of the property, if successful, being paid for with a portion of the \$5,000,000 of Proposition C San Diego Open Space Park Bond funds designated for

utilization within Council District 4." This request is for \$1,925,000 which would provide funds to purchase this parcel at fair market value plus funds to cover appraisal fees, title, escrow, and other miscellaneous costs.

FILE LOCATION:

STRT OS-3

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-S401: (R-84-1503) ADOPTED AS RESOLUTION R-260273

Authorizing the establishment of the Mira Mesa/Penasquitos Task Force; approving the composition and work program, as more fully described in the Construction Industry Federation Memorandum; designating Council Member Ed Struiksma to Chair the Mira Mesa/Penasquitos Task Force.

COMMITTEE ACTION: Reviewed by TLU on 3/5/84. Recommendation to adopt the Resolution. Districts 1, 2, 3, 4 and 5 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-S402: (R-84-1520) ADOPTED AS RESOLUTION R-260274

A Resolution approved by the City Council in Closed Session on Tuesday, February 14, 1984 by the following vote: Mitchell-nay, Cleator-yea, McColl- yea, Jones-yea, Struiksma-yea, Gotch-not present, Murphy-nay, Martinez- yea, Mayor Hedgecock-nay.

Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the flood damage to the real and personal property of Florian and Stella Brzezinski and Lakeside Poultry Ranch, Inc. (Superior Court Case Nos. 425214 and 454035, Florian Brzezinski, et al v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue a warrant check in the amount of \$20,000 made payable to Florian and Stella Brzezinski, Lakeside Poultry Ranch, Inc., and R. G.

Bellows in full settlement of the lawsuit and all claims.

**CITY MANAGER REPORT:**

On March 4, 1978 and February 18, 1980, the plaintiffs' property at 11138 Moreno Blvd., Lakeside, California was flooded by water spilled from San Vicente Reservoir. The sum of \$20,000 represents total and complete settlement for both incidents.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A241-262).

**CONSENT MOTION BY MARTINEZ TO ADOPT.** Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-nay, Martinez-yea, Mayor Hedgecock- yea.

**\* ITEM-S403: (R-84-1458) ADOPTED AS RESOLUTION R-260275**

A Resolution approved by the City Council in Closed Session on Tuesday, January 3, 1984 by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez- yea, Mayor Hedgecock-yea.

Authorizing the City Manager to pay the sum of \$85,000 in the settlement of each and every complaint against the City, its agents and employees, resulting from the alleged wrongful death of Sleem Mauladad on or about November 7, 1981, and any and all alleged losses sustained by plaintiffs Basheer Ahmad Mauladad, Nusrat Mauladad, and Shaila Mauladad, as a result of said incident (Superior Court Case No. 484152, Patrick Duggan v. Gordon Lee George, et al.; authorizing the City Manager to pay the sum of \$37,500 in the settlement of each and every complaint against the City, its agents and employees, resulting from the alleged wrongful death of Christian Velozo on or about November 7, 1981, and any and all alleged losses sustained by plaintiffs Bernardita Cerda, Francisco Jose Cerda, Loreto Velozo Cerda, Margarita Velozo Cerda and Paz Velozo Cerda as a result of said accident (Superior Court Case No. 484152, Patrick Duggan v. Gordon Lee George, et al.; authorizing the City Auditor and Comptroller to issue one warrant check in the amount of \$85,000 to Hinchy, Witte, Wood, Anderson & Hodges, in trust for Basheer Mauladad, Nusrat Mauladad and Shaila Mauladad, in full and final settlement of all claims and complaints; authorizing the City Auditor and Comptroller to issue one warrant check in the amount of \$37,500 to James R. Milliken, in trust for Bernardita Cerda, Francisco Jose Cerda, Loreto Belozo Cerda, Margarita Velozo Cerda and Paz Velozo

Cerda, in full and final settlement of all claims and complaints.

**CITY MANAGER REPORT:**

On February 6, 1984, the City Council adopted Resolution R-260046 authorizing the City Manager to settle all claims for personal injuries against the City of San Diego by Patrick Duggan. In addition to Mr. Duggan's injuries, the accident of November 7, 1981 also resulted in the deaths of Christian Velozo and Sleem Mauladad. These payments will constitute the full and final settlement of all claims against the City of San Diego by the heirs of Mr. Mauladad and Mr. Velozo. This action will settle all outstanding claims from the November 7, 1981 accident.

**FILE LOCATION:**

MEET

**COUNCIL ACTION:** (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

**ITEM-S404: (R-84-1281) CONTINUED TO MARCH 26, 1984**

(Continued from the meeting of March 5, 1984, at Council Member Struiksma's request.)

Granting an extension of time to August 17, 1985 to Home Savings and Loan Association (now Home Savings of America, F.A.), subdivider, to complete the improvements required in Scripps Hills Unit No. 5.

(Located southerly of Fairbrook Road and Rue Chamberry. Scripps Ranch Community Area. District-5.)

**CITY MANAGER REPORT:**

On August 17, 1981, the City entered into an agreement with Home Savings and Loan Association, now Home Savings of America, F.A., for the construction of public improvements for Scripps Hills Unit No. 5. Approximately 40 percent of the work has been completed. The agreement expired on August 17, 1983. The developer has requested a time extension to August 17, 1985. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

**FILE LOCATION:**

SUBD Scripps Hills Unit No. 5

**COUNCIL ACTION:** (Tape location: A165-224).

MOTION BY MARTINEZ TO CONTINUE TO MARCH 26, 1984, AT CITY MANAGER'S REQUEST FOR COUNCIL MEMBER STRUIKSMA TO BE PRESENT. Second by Murphy. Passed by the following vote: Mitchell-yea,

Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

\* ITEM-S405: (R-84-1345) ADOPTED AS RESOLUTION R-260276

(Continued from the meeting of March 5, 1984, at Council Member Struiksma's request.)

Granting an extension of time to July 23, 1984 to Fredricks Development Corporation, subdivider, to complete the improvements required in the Resubdivision of Lots 1 and 2, Scripps Mesa Vista.

(Located northeast of Mira Mesa Boulevard and I-15. Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT:

On September 29, 1981, the City entered into an agreement with Fredricks Development Corporation for the construction of public improvements for Scripps Mesa Vista Lots 1 and 2. Approximately one percent of the work has been completed. The agreement expired on September 29, 1983. Due to prevailing economic conditions in the housing market, the developer has requested a time extension to July 23, 1984. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

FILE LOCATION:

SUBD Scripps Mesa Vista

COUNCIL ACTION: (Tape location: A241-262).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

ITEM-S406:

19840312

(Continued from the meeting of March 5, 1984 at the City Manager's request.)

Three actions relative to the Otay Mesa Sewer Construction and Operation Agreement:

(See City Manager Report CMR-84-78. Otay Mesa Community Area. District-8.)

Subitem-A: (R-84-1381) ADOPTED AS RESOLUTION R-260277

Authorizing the execution of an agreement with the City of Chula Vista, the Montgomery Sanitation District, Otay

International Center and Otay Water District for the purpose of securing the construction, maintenance and operation of a sewerage system to serve designated portions of Otay Mesa within and without the corporate limits of San Diego.

WU-U-84-096.

Subitem-B: (R-84-1382) ADOPTED AS RESOLUTION R-260278

Certifying that the information contained in the Addendum to the Final EIR prepared by the City of San Diego Environmental Quality Division EIR-83-0748 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said EIR and Addendum have been reviewed and considered by the Council; declaring that pursuant to California Public Resources Code, Section 21081, the findings made with respect to the EIR in connection with the construction and operation agreement are those findings dated January 18, 1984, attached to the Addendum.

Subitem-C: (R-84-1380) ADOPTED AS RESOLUTION R-260279

Authorizing the execution of an agreement with Otay International Center ("OIC") for reimbursement for cost incurred by OIC for constructing offsite sewage facilities which are needed to service OIC's project and approximately ten years of development on Otay Mesa.

WU-U-84-095.

NOTE: See Item S407.

FILE LOCATION:

MEET CONFY84

COUNCIL ACTION: (Tape location: D050-186).

MOTION BY MARTINEZ TO ADOPT AND REFER THE LETTER FROM THE OTAY

MESA HOMEOWNERS ASSOCIATION TO THE CITY MANAGER FOR REVIEW AND A

REPORT BACK TO COUNCIL. Second by Murphy. Passed by the following

vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S407: (R-84-1459) ADOPTED AS RESOLUTION R-260280

Establishing the following minimum sewer capacity surcharge

for services provided by the Otay Mesa Trunk Sewer System: a minimum sewer capacity surcharge of \$450 per single family unit or equivalent shall be paid; declaring that this surcharge shall be subject to 6 percent interest compounded annually from the effective date of this resolution, to and including that date the charge is paid.

(See City Manager Report CMR-84-84. See questions and answers from Water Utilities Department dated March 6, 1984. Otay Mesa Community Area. District- 8.)

COMMITTEE ACTION: Reviewed by PFR on 3/7/84. Recommendation to adopt the Resolution. Districts 1, 2 and 7 voted yeas. Districts 3 and 4 not present.

WU-U-84-102.

NOTE: See Item S406.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D050-185).

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S408: (R-84-1457 Rev.) ADOPTED AS RESOLUTION R-260281

(Continued from the meeting of March 5, 1984, at the City Manager's request.)

Authorizing the execution of an agreement with Marsh & McLennan, Incorporated, as the City's Liability Insurance Broker of Record; directing the Broker of Record to bind and furnish to the City a one-year policy of Excess Public Liability Insurance through the Transcontinental Insurance Company for the policy period beginning March 13, 1984 and ending March 12, 1985, for a premium of \$157,000 per rates on file with the Risk Management Department; authorizing the expenditure of \$157,000 from Dept. 601, Org. 106, Account 4821 and Dept. 700, Org. 102, Account 4824 for the above purpose.

(See City Manager Report CMR-84-100.)

COMMITTEE ACTION: Reviewed by RULES as an off-docket item on 2/27/84. Recommendation to adopt the Resolution and refer to full Council for a written report. Districts 5, 6, 7, 8 and Mayor voted yeas.

FILE LOCATION:

MEET CONFY84

COUNCIL ACTION: (Tape location: D189-200).

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,

Mayor Hedgecock-yea.

ITEM-UC-1: (R-84-1569) ADOPTED AS RESOLUTION R-260282

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Uvaldo A. Martinez, Jr. from the Council and Redevelopment Agency meetings of March 13, 1984, for the purpose of representing the City of San Diego at the first informational hearing of Assemblyman Steve Peace's Select Committee on Border Pollution in Sacramento.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D211-217).

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea Cleator-yea McColl-yea Jones-not present Struiksma-not present Gotch-yea Murphy-yea Martinez-yea Mayor Hedgecock-yea

ITEM-UC-2: (R-84-1570) ADOPTED AS RESOLUTION R-260283

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Ed Struiksma from the Council and Rules Committee meetings of Monday, March 12, 1984, and the Council and Redevelopment Agency meetings of Tuesday, March 13, 1984, for the purpose of attending the APTA Conference in Washington, D.C.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D217-221).

MOTION BY McCOLL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea Cleator-yea McColl-yea Jones-not present Struiksma-not present Gotch-yea Murphy-yea Martinez-yea Mayor Hedgecock-yea.

ITEM-UC-3: (R-84-0000) ADOPTED AS RESOLUTION R-260284

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing the City Manager and City Attorney to prepare and negotiate a sole source contract for consultant services to lobby for the inclusion of funds in federal legislation (HR 3282) for a Joint U.S. - Mexico Wastewater Treatment Facility Project; and further that 1) this consultant contract not

exceed \$14,000; 2) the consultant to be hired work under the supervision of the Director of Intergovernmental Relations Department; 3) that the City Manager return to full Council as soon as possible for approval of this contract; and 4) that Council Policy 300-7 be waived.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D221-231).

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea Cleator-yea McColl-yea Jones-not present Struiksma-not present Gotch-yea Murphy-yea Martinez-yea Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 4:41 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: D231-232).